

Abstract

The thesis focuses on the costs of civil trial proceedings. The topic of the thesis is up to date and very important. My objective is to provide a description of the current legal regulations of costs of civil trial proceedings with a focus on problems in practise. This thesis refers to many actual case laws. I also used my own experiences gained at the law firm as well as at the court where I worked for more than 3 years. The thesis is aimed onto 2 main parts - existing legal regulation and future legal regulation. The first part is divided into 8 chapters that explain in detail the provision from 137 to 151 of Civil Procedure Code (Act no. 99/1963 Coll.) and others important legislation. The first chapter explains the concept of the costs of civil trial proceedings. The second chapter describes the individual types of costs. The list of the costs is illustrated and consists of expenditures of participants and their representatives, including court fees, lost earnings of participant and their legal representatives, costs of evidence, interpretation costs, compensation for value added tax, representation fees and mediator's remuneration. The third chapter deals with the exemption from court fees. This is the way how parties can apply their right to access the court. The next chapter explains the differences between paying and refunding the costs including main principles that are the principle of interest, the principle of success in the matter and the principle of fault. The special matters are included. Other two chapters are about the conditions and the court decision to refund the costs. This is the final and the most important step in the decision-making process. Act no. 292/2013 Coll. is mentioned too. The eighth chapter deals with the right of the court to decide this question on his own if there are special circumstances. The second part of the thesis focuses on the future legal regulation of costs of civil trial proceedings.